



Federal Communications Commission
Washington, D.C. 20554

March 7, 2019

Russ Kick
MuckRock News
DEPT MR 69867
411A Highland Avenue
Somerville, MA 02144
69867-09686591@requests.muckrock.com

Re: FOIA Control No. 2019-000286

Mr. Kick:

This letter responds to your Freedom of Information Act (FOIA) request for “your agency’s FOIA request log covering 2018, which includes a field showing the subject of each request and a field for the final disposition.” Your request has been assigned FOIA Control No. 2019-000286.

The Office of the Managing Director conducted a search and as you requested, enclosed is a copy of our agency’s FOIA request log covering 2018, which includes a field showing the subject of each request and a field for the final disposition.

We are required by both the FOIA and the Commission’s own rules to charge requesters certain fees associated with the costs of searching for, reviewing, and duplicating the sought-after information.¹ To calculate the appropriate fee, requesters are classified as: (1) commercial use requesters; (2) educational requesters, non-commercial scientific organizations, or representatives of the news media; or (3) all other requesters.²

Pursuant to section 0.466(a)(8) of the Commission’s rules, you have been classified for fee purposes as category (3), “all other requesters.”³ As an “all other requester,” the Commission assesses charges to recover the full, reasonable direct cost of searching for and reproducing records that are responsive to the request; however, you are entitled to be furnished with the first 100 pages of reproduction and the first two hours of search time without charge under section 0.470(a)(3)(i) of the Commission’s rules.⁴ The production did not involve more than 100 pages of duplication and took less than two hours of search time. Therefore, you will not be charged any fees.

If you consider this to be a denial of your FOIA request, you may seek review by filing an application for review with the Office of General Counsel. An application for review must be received by the Commission within 90 calendar days of the date of this letter.⁵ You may file an application for review by mailing the application to Federal Communications Commission, Office of General Counsel, 445 12th St SW, Washington, DC 20554, or you may file your application for

¹ See 5 U.S.C. § 552(a)(4)(A), 47 C.F.R. § 0.470.

² 47 C.F.R. § 0.470.

³ 47 C.F.R. § 0.466(a)(8).

⁴ 47 C.F.R. § 0.470(a)(3)(i).

⁵ 47 C.F.R. §§ 0.461(j), 1.115; 47 C.F.R. § 1.7 (documents are considered filed with the Commission upon their receipt at the location designated by the Commission).

review electronically by e-mailing it to FOIA-Appeal@fcc.gov. Please caption the envelope (or subject line, if via e-mail) and the application itself as "Review of Freedom of Information Action."

If you would like to discuss this response before filing an application for review to attempt to resolve your dispute without going through the appeals process, you may contact the Commission's FOIA Public Liaison for assistance at:

FOIA Public Liaison
Federal Communications Commission, Office of the Managing Director, Performance Evaluation and Records Management
445 12th St SW, Washington, DC 20554
202-418-0440
FOIA-Public-Liaison@fcc.gov

If you are unable to resolve your FOIA dispute through the Commission's FOIA Public Liaison, the Office of Government Information Services (OGIS), the Federal FOIA Ombudsman's office, offers mediation services to help resolve disputes between FOIA requesters and Federal agencies. The contact information for OGIS is:

Office of Government Information Services
National Archives and Records Administration
8601 Adelphi Road—OGIS
College Park, MD 20740-6001
202-741-5770
877-684-6448
ogis@nara.gov
ogis.archives.gov

Sincerely,

Vanessa Lamb^{SK}

Vanessa Lamb
Acting Associate Managing Director
Performance Evaluation and Records
Management

Enclosures